

[First Reprint]

**SENATE, No. 589**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**SYNOPSIS**

Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on June 11, 2018, with amendments.



1 AN ACT concerning online voter registration and amending various  
2 parts of the statutory law and supplementing chapter 31 of Title  
3 19 of the Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. (New section) Notwithstanding any other provision of law  
9 to the contrary, a person who is qualified to register to vote and who  
10 has a valid New Jersey driver's license or non-driver identification  
11 card issued by the New Jersey Motor Vehicle Commission may  
12 submit a voter registration form electronically on the Internet  
13 website of the Secretary of State, which form shall contain  
14 substantively the same information required to be contained on a  
15 paper voter registration form pursuant to section 16 of P.L.1974,  
16 c.30 (C.19:31-6.4).

17 a. The Secretary of State shall <sup>1</sup>**promulgate deadlines for**  
18 **when** apply the same voter registration deadline applicable under  
19 current law for paper voter registration forms to<sup>1</sup> an online voter  
20 registration form submitted by an applicant pursuant to this section  
21 <sup>1</sup>**shall be effective ahead of an election to be held in the election**  
22 **district of the applicant submitting the form**<sup>1</sup>.

23 b. The applicant completing the form shall affirmatively attest  
24 to the truth of the information provided in the form.

25 c. For voter registration purposes, the applicant shall  
26 affirmatively assent to the use of his or her signature from his or her  
27 driver's license or non-driver identification card.

28 d. For each online voter registration form, the Secretary of  
29 State shall obtain an electronic copy of the applicant's signature  
30 from his or her driver's license or non-driver identification card  
31 directly from the New Jersey Motor Vehicle Commission.

32 e. The Secretary of State shall require an applicant who  
33 submits an online voter registration form pursuant to this section to  
34 submit all of the following:

35 (1) the number from his or her New Jersey driver's license or  
36 non-driver identification card;

37 (2) his or her date of birth; <sup>1</sup>and<sup>1</sup>

38 (3) <sup>1</sup>**the last four digits of his or her social security number;**  
39 **and**

40 (4)<sup>1</sup>**any other information the Secretary of State deems**  
41 **necessary to establish the identity of the applicant completing the**  
42 **form.**

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter. Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted June 11, 2018.

1 f. Upon submission of an online voter registration form  
2 pursuant to this section, the electronic voter registration system  
3 shall provide for immediate verification of both of the following:

4 (1) that the applicant has a New Jersey driver's license or non-  
5 driver identification card and that the number for that driver's  
6 license or non-driver identification card provided by the applicant  
7 matches the number for that person's driver's license or non-driver  
8 identification card that is on file with the New Jersey Motor Vehicle  
9 Commission; and

10 (2) that the date of birth provided by the applicant matches the  
11 date of birth for that person that is on file with the New Jersey  
12 Motor Vehicle Commission.

13 g. Upon submission of an online voter registration form  
14 pursuant to this section, the electronic voter registration system  
15 shall automatically acknowledge that the online voter registration  
16 form has been submitted successfully, and provide instructions on  
17 how the person completing the voter registration form may follow-  
18 up on the status of the submission either online or by contacting the  
19 appropriate county commissioner of registration.

20 h. The Secretary of State shall employ security measures to  
21 ensure the accuracy and integrity of voter registration forms  
22 submitted electronically pursuant to this section.

23 i. The New Jersey Motor Vehicle Commission and the  
24 Secretary of State shall jointly develop a process and the  
25 infrastructure to allow the electronic copy of the applicant's  
26 signature and other information required under this section that is in  
27 the possession of the commission to be transferred to the Secretary  
28 of State and to the appropriate county election officials to allow a  
29 person who is qualified to register to vote in New Jersey to register  
30 to vote under this section.

31 j. If an applicant cannot electronically submit the information  
32 required pursuant to subsection e. of this section, the applicant shall  
33 nevertheless be able to complete the online voter registration form  
34 electronically on the Secretary of State's Internet website, print a  
35 paper copy of the completed form, and mail or deliver the paper  
36 copy of the completed form to the Secretary of State or the  
37 appropriate county election official. For the purposes of this  
38 subsection, the applicant shall be required to provide the same  
39 documents required to be provided with a paper voter registration  
40 form pursuant to R.S.19:31-5.

41

42 2. R.S.19:31-6 is amended to read as follows:

43 19:31-6. Any person qualified to vote in an election shall be  
44 entitled to vote in the election if the person shall have registered to  
45 vote on or before the 21st day preceding the election by:

46 a. registering in person at any offices designated by the  
47 commissioner of registration for providing and receiving  
48 registration forms;

1 b. completing a voter registration form while applying for a  
2 motor vehicle driver's license from an agent of the New Jersey  
3 Motor Vehicle Commission, as provided for in section 24 of  
4 P.L.1994, c.182 (C.39:2-3.2);

5 c. completing and returning to the Secretary of State or having  
6 returned thereto a voter registration form received from a voter  
7 registration agency, as defined in subsection a. of section 26 of  
8 P.L.1994, c.182 (C.19:31-6.11), while applying for services or  
9 assistance or seeking a recertification, renewal or change of address  
10 at an office of that agency;

11 d. completing and returning to the Secretary of State a voter  
12 registration form obtained from a public agency, as defined in  
13 subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3);

14 e. completing and returning to the Secretary of State or having  
15 returned thereto a voter registration form received from a door-to-  
16 door canvass or mobile registration drive, as provided for in section  
17 19 of P.L.1974, c.30 (C.19:31-6.7);

18 f. completing and returning to the Secretary of State a federal  
19 mail voter registration form, as prescribed in subsection (b) of  
20 section 9 of the "National Voter Registration Act of 1993," (42  
21 U.S.C. s. 1973gg et seq.);

22 g. completing and returning to the Secretary of State or the  
23 appropriate county clerk an application for a federal postcard  
24 application form to register to vote, as permitted pursuant to the  
25 "Overseas Absentee Voting Act" (42 U.S.C. s. 1973ff-1 et seq.) and  
26 section 4 of P.L.1976, c.23 (C.19:59-4);**[or]**

27 h. completing a provisional ballot affirmation statement and  
28 voting the provisional ballot in the previous election, if the person  
29 who submitted the provisional ballot in that election is determined  
30 not to be a registered voter; or

31 i. completing and submitting an online voter registration form  
32 available on the Secretary of State's Internet website, as provided  
33 under section 1 of P.L. , c. (C. ) (pending before the Legislature  
34 as this bill).

35 When the commissioner has designated a place or places other  
36 than his office for receiving registrations, the commissioner shall  
37 cause to be published a notice in a newspaper circulated in the  
38 municipality wherein such place or places of registration shall be  
39 located. Such notice shall be published pursuant to R.S.19:12-7.

40 Any office designated by the commissioner of registration for  
41 receiving registration forms shall have displayed, in a conspicuous  
42 location, registration and voting instructions. These instructions  
43 shall be the same as those provided for polling places under  
44 R.S.19:9-2 and shall be provided by the commissioner.  
45 (cf: P.L.2017, c.39, s.10)

46  
47 3. Section 17 of P.L.1974, c.30 (C.19:31-6.5) is amended to  
48 read as follows:

1 17. a. Upon receipt of any completed registration form, the  
2 commissioner of registration shall review it, and if it is found to be  
3 in order, shall:

4 (1) Send to the registrant written notification that such registrant  
5 is duly registered to vote. No registrant shall be considered a  
6 registered voter until the commissioner of registration reviews the  
7 application submitted by the registrant and deems it acceptable. On  
8 the face of such notification in the upper left-hand corner shall be  
9 printed the words: "Do Not Forward. Return Postage Guaranteed.  
10 If not delivered in 2 days, return to the Commissioner of  
11 Registration."

12 (2) In as timely a manner as possible, enter the information  
13 provided for the registrant on the completed registration form, or  
14 electronically transfer the information from an online voter  
15 registration form completed pursuant to section 1 of P.L. ,  
16 c. (C. ) (pending before the Legislature as this bill), into the  
17 Statewide voter registration system established pursuant to section 1  
18 of P.L.2005, c.145 (C.19:31-31).

19 (3) Paste, tape, or photocopy the completed registration form  
20 onto an original registration form, and shall paste or tape a copy of  
21 such completed registration form onto a duplicate registration form,  
22 both of which shall be filed as provided in R.S.19:31-10. Nothing  
23 in this paragraph shall preclude any commissioner of registration  
24 from keeping the original mail registration form on file.

25 (4) In the case of a registrant currently registered in another  
26 county of this State, notify the commissioner of registration of such  
27 other county to remove the individual's name from the registry list  
28 of voters of the county and place into an appropriate retention file  
29 all registration documents or material relating to that voter. The  
30 commissioner of registration of the current county of the registrant  
31 shall secure and maintain the entire voting history of that registrant.

32 b. The commissioner shall notify a registrant of the reasons for  
33 any refusal to approve his registration.

34 c. (Deleted by amendment, P.L.1994, c.182.)  
35 (cf: P.L.2005, c.145, s.10)  
36

37 4. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to  
38 read as follows:

39 1. a. There shall be established in the Department of State a  
40 single Statewide voter registration system, as required pursuant to  
41 section 303 of the federal "Help America Vote Act of 2002,"  
42 Pub.L.107-252 (42 U.S.C. s.15483). The principal computer  
43 components of the system shall be under the direct control of the  
44 Secretary of State. The Secretary of State shall be responsible for  
45 creating the network necessary to maintain the system and  
46 providing the computer software, hardware and security necessary  
47 to ensure that the system is accessible only to those executive  
48 departments and State agencies so designated by the Secretary of

1 State, each county commissioner of registration, each county and  
2 municipal clerk, and individuals under certain circumstances, as  
3 provided for by this section. The system shall be the official State  
4 repository for voter registration information for every legally  
5 registered voter in this State, and shall serve as the official voter  
6 registration system for the conduct of all elections in the State.

7 b. The Statewide voter registration system shall include, but  
8 not be limited to, the following features:

9 (1) the name and registration information of every legally  
10 registered voter in the State;

11 (2) the ability to assign a unique identifier to each legally  
12 registered voter in the State;

13 (3) interactivity among appropriate State agencies so designated  
14 by the Secretary of State, each county commissioner of registration,  
15 each county board of elections, and each county clerk such that  
16 these entities shall have immediate electronic access to all or  
17 selected records in the system, as determined by the Secretary of  
18 State, to receive or transmit all or selected files in the system and to  
19 print or review all or selected files in the system;

20 (4) the ability to permit any county commissioner of registration  
21 to enter voter registration information on an expedited basis, and to  
22 transfer electronically voter registration information from an online  
23 voter registration form completed pursuant to section 1 of P.L. ,  
24 c. (C. ) (pending before the Legislature as this bill), at the time the  
25 information is provided thereto and to permit the Secretary of State  
26 to provide technical support to do so whenever needed;

27 (5) the ability to permit each municipal clerk to view or print  
28 information in the system;

29 (6) the ability to permit an individual, by July 1, 2006, to verify  
30 via the Internet whether that individual, and only that individual, is  
31 included in the system as a legally registered voter, whether the  
32 information pertaining to that individual required by subsection c.  
33 of this section is correct, and if not, a means to notify the pertinent  
34 county commissioner of registration of the corrections that must be  
35 made and to so verify in a way that does not give one individual  
36 access to the information required by subsection c. of this section  
37 for any other individual;

38 (7) a Statewide street address index and map in electronic form  
39 that can accurately identify the location of every legally registered  
40 voter in this State;

41 (8) the ability to record and monitor all requests for mail-in  
42 ballots; to enable the county clerk to verify the identity and  
43 signature of each person requesting a mail-in ballot; to record the  
44 name and address of each voter determined to be eligible to receive  
45 a mail-in ballot for a particular election and to note when a mail-in  
46 ballot has been transmitted to that voter by mail or hand delivery;  
47 and to make such information available to the Secretary of State so  
48 that a voter can be notified whether the application for such a ballot

1 was accepted or rejected, and the reason for the rejection, using the  
2 free-access system established by section 5 of P.L.2004, c.88  
3 (C.19:61-5); and  
4 (9) any other functions required pursuant to Pub.L.107-252 (42  
5 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that  
6 may be deemed necessary by the Secretary of State.  
7 c. The Statewide voter registration system shall include, but  
8 not be limited to, the following information for every legally  
9 registered voter in this State:  
10 (1) last, first and middle name;  
11 (2) street address at time of registration or rural route, box  
12 number or apartment number, if any;  
13 (3) city or municipality, and zip code;  
14 (4) date of birth;  
15 (5) telephone number and e-mail address, if provided on voter  
16 registration form;  
17 (6) previous name or address if individual re-registered due to  
18 change of name or address;  
19 (7) ward and election district number, if either is available;  
20 (8) (a) current and valid New Jersey driver's license number; or  
21 (b) if the registrant has not been issued a New Jersey driver's  
22 license number, the last four digits of the registrant's social security  
23 number; or  
24 (c) unique identifying number for any individual who has not  
25 been issued the information sought in subparagraph (a) or (b) of this  
26 paragraph;  
27 (9) notation that a copy of one of the following documents has  
28 been submitted with the voter registration application, if required:  
29 current and valid photo identification card; a current utility bill,  
30 bank statement, government check, pay check or any other  
31 government document showing the registrant's name and current  
32 address;  
33 (10) the method by which the individual registered and whether  
34 that person needs to provide additional identification information to  
35 vote using a voting machine instead of a provisional ballot;  
36 (11) political party affiliation, if designated;  
37 (12) **digitalized** digitized signature;  
38 (13) date of registration or re-registration;  
39 (14) name and street address of the individual assisting in the  
40 completion of the form, if the applicant for registration is unable to  
41 do so;  
42 (15) voting participation record for ten-year period; and  
43 (16) any other information required pursuant to Pub.L.107-252  
44 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or  
45 that the Secretary of State determines is necessary to assess the  
46 eligibility of an individual to be registered to vote and to vote in  
47 this State.  
48 (cf: P.L.2009, c.287, s.2)

1       5. Section 2 of P.L.2005, c.145 (C.19:31-32) is amended to  
2 read as follows:

3       2. a. The Statewide voter registration system shall replace all  
4 other computer or electronic-based registry files of voters and other  
5 voter registration files established and maintained by each county  
6 commissioner of registration for voter registration and election  
7 administration purposes established pursuant to the provisions of  
8 Title 19 and Title 40 of the Revised Statutes, and shall be the single  
9 system for storing and managing the official file of registered voters  
10 throughout the State. A commissioner may, however, continue to  
11 use and maintain as a supplement to the system the original and  
12 duplicate permanent registration binders and voting records and  
13 shall continue to use and maintain the signature copy registers or  
14 polling records provided for in Title 19 of the Revised Statutes.

15       b. Each county commissioner of registration shall be  
16 responsible for adding to, deleting from, amending and otherwise  
17 conducting on a regular basis maintenance for the files of every  
18 legally registered voter in that commissioner's county as contained  
19 in the Statewide voter registration system, pursuant to the  
20 provisions of section 303 of Pub.L.107-252 (42 U.S.C. s. 15301 et  
21 seq.) and Title 19 of the Revised Statutes. Each commissioner shall  
22 be responsible for verifying the accuracy of the name, address and  
23 other data of registered voters in the commissioner's respective  
24 county as contained in the system. The commissioner who receives  
25 the voter registration forms of individuals who have registered to  
26 vote in the county or who are re-registering for any reason shall be  
27 responsible for entering the information on those forms into the  
28 system on an expedited basis, and electronically transferring into  
29 the system the information from online voter registration forms  
30 completed pursuant to section 1 of P.L. , c. (C. ) (pending  
31 before the Legislature as this bill), including but not limited to  
32 forms and information received pursuant to chapter 31 of Title 19 of  
33 the Revised Statutes. The information the commissioner shall use  
34 to update and maintain the system shall be that required by  
35 subsection c. of section 1 of P.L.2005, c.145 (C.19:31-31).

36       c. The **【Attorney General】** Secretary of State and each county  
37 commissioner of registration shall be responsible for developing  
38 and providing the technological security measures needed to  
39 prevent unauthorized access to the Statewide voter registration  
40 system established pursuant to section 1 of P.L.2005, c.145  
41 (C.19:31-31) and to the information for any individual on the  
42 system required by subsection c. of section 1 of that act.

43       d. The **【Attorney General】** Secretary of State, in consultation  
44 with each county commissioner of registration, shall develop  
45 minimum standards to safeguard the accuracy of the files contained  
46 in the Statewide voter registration system. Such standards shall  
47 include procedures to ensure that reasonable effort is made to  
48 remove registrants who are ineligible to vote pursuant to federal or



1 State law and to ensure that eligible voters are not removed in error  
2 from the system.

3 e. (1) The **【Attorney General】** Secretary of State and the Chief  
4 Administrator of the New Jersey Motor Vehicle Commission in the  
5 Department of Transportation shall enter into an agreement to  
6 match information in the database of the Statewide voter  
7 registration system with information in the database of the  
8 commission, including social security numbers, to the extent  
9 required to enable verification of the accuracy of the information  
10 provided on applications for voter registration, and to locate and  
11 utilize for voter registration purposes the digitized signatures of  
12 licensed drivers or holders of non-driver identification cards who  
13 register to vote using an online voter registration form, as provided  
14 pursuant to section 1 of P.L. , c. (C. ) (pending before the  
15 Legislature as this bill).

16 (2) The **【Attorney General】** Secretary of State shall enter into  
17 an agreement with the Commissioner of the Department of Health  
18 and Senior Services to match information in the database of the  
19 Statewide voter registration system with State agency information  
20 on death records.

21 (3) The **【Attorney General】** Secretary of State shall enter into  
22 an agreement with the Commissioner of the Department of  
23 Corrections to match information in the database of the Statewide  
24 voter registration system with State agency information on  
25 individuals who are incarcerated, on probation, or on parole as the  
26 result of a conviction for an indictable offense.

27 (4) The **【Attorney General】** Secretary of State shall enter into  
28 an agreement with the Administrative Office of the Courts to match  
29 information in the database of the Statewide voter registration  
30 system with State agency information on individuals who are  
31 incarcerated, on probation, or on parole as the result of a conviction  
32 for an indictable offense.

33 (5) The **【Attorney General】** Secretary of State shall enter into  
34 an agreement with the State Parole Board to match information in  
35 the database of the Statewide voter registration system with State  
36 agency information on individuals who are on parole.

37 (cf: P.L.2005, c.145, s.2)

38

39 6. This act shall take effect 180 days following enactment.